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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 CRAIG RICHARD,

12 Plaintiff,

13 v.

14 SAETEURN, et al.,

15 Defendants.  
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No. 2:21-CV-1015-KJM-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to  
18 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion, ECF No. 10, which the Court  
19 construes as a notice of voluntary dismissal of Defendant Noriega. Because no answer or motion  
20 for summary judgment has been filed, leave of Court is not required and Defendant Noriega is  
21 dismissed on Plaintiff's notice. See Fed. R. Civ. P. 41(a)(1)(A)(i). The Clerk of the Court is  
22 directed to terminate Noriega as a defendant to this case and to terminate ECF No. 10 as a  
23 pending motion.

24 IT IS SO ORDERED.

25 Dated: October 27, 2021

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DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE  
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